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*John G. Talbot*

THE PRESENT STATE

OF

*1860.*

THE CHURCH RATE QUESTION

EXHIBITED,

IN AN

ABSTRACT OF THE EVIDENCE

CONTAINED

IN THE REPORT OF A SELECT COMMITTEE OF

THE

HOUSE OF LORDS,

APPOINTED TO ENQUIRE INTO

THE PRESENT OPERATION OF THE LAW

AND PRACTICE RESPECTING THE ASSESSMENT AND THE

LEVY OF CHURCH RATES,

AND WHICH WAS ORDERED TO BE PRINTED,

AUG. 5, 1859.

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## ADVERTISEMENT.

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THE following pages contain an abstract of the evidence taken by a Select Committee of the House of Lords, on the subject of Church Rates, in the month of July last, and which was ordered to be printed on the 5th of August. It is the object of the Editor to facilitate, not to supersede, the use of the original volume, (a folio book of more than 200 pages, containing more than 2000 questions and answers), the whole of which appears to him to demand the thoughtful study of every one, whose duty it is to form a just opinion upon the political, social, and religious bearings of the Church Rate question. The reader has here presented to him, not a perfect and complete epitome of the proceedings of their Lordship's Committee, but a faithful abstract of the greater part of the statements made by the witnesses, without a single note or comment. The Editor considers that he would have been



guilty of disrespect if he had presumed in this publication to suggest the inferences which might be drawn from the evidence which has been adduced.

W. H. HALE,

ARCHDEACON OF LONDON.

Charterhouse, Oct. 10, 1859.

N.B. The Report may be obtained at the Sale Office, House of Lords, the price being 3s. 6d.

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The attention of the Reader is especially directed to the Evidence given by the witnesses against whose names the asterisk \* is affixed.



# MINUTES OF EVIDENCE.

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# SELECT COMMITTEE

ON THE

## ASSESSMENT AND LEVY OF CHURCH RATES.

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HOUSE OF LORDS,

MONDAY, JULY 11, 1859.

THE DUKE OF MARLBOROUGH IN THE CHAIR.

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The Venerable WILLIAM HALE HALE, Archdeacon of London, called in, and examined.

THE parishes of the Archdeaconry of London being well endowed with property for the support of churches, disputes are less liable to take place with respect to church rates. 3\*. In St. Luke's parish rates are raised for the mother Church, but not as they ought for the district churches, which were built twenty or thirty years ago. 9. The clergyman, as well as the churchwarden, is obliged to incur expense; and, in the case of St. Barnabas, to spend money which has not been reimbursed. 11. One of the great causes of the refusal of church rates has been the weakness of the law to compel people to pay rates when granted; the churchwarden foreseeing, that he entails upon himself immense expense and difficulty in enforcing the rate, if, when it is made, persons refuse to pay, 12; unless the law had been strengthened for the enforcement of church rates, a different decision in the Braintree case would have made no difference in the conduct of the present opponents of church rates. 14. Had that decision given to the minority the power to make a rate, it would not have allayed the hostile

Archdeacon  
Hale.

\* The figures refer to the number of the Question and Answer in the original Report.

Archdeacon feeling, but rather the reverse. 15. No settlement of the law, but such as almost crushed opposition to it, would have made persons, who have power over popular bodies, cease their opposition. 17. There is as strong reason for a change of the law now, as there was previously to the decision of the Braintree case. 18. The difficulty of making a rate, and getting it paid when made, arising from the great number of rate-payers, and the popular character of the vestries, the remedy, which suggests itself, is that of having to deal with a smaller number of persons, and throwing the burden upon the owners of property instead of the occupiers. 19. The owners of house property, as well as of landed property, seem so universally to acknowledge the value of churches upon their properties, that the great majority of them, if the question were put, whether the churches should be maintained or not, would probably say, it is so much our interest to have the church maintained, that we are willing to assist in getting rid of this difficulty, at least as respects the fabric. 20. Whether the putting the rate upon the owners is a measure applicable alike to the country and the towns, cannot be ascertained, without a more accurate inquiry as to the number of owners in towns and cities. In large towns a very large proportion of the property is frequently held by a very small number of persons, and is in much fewer hands than is commonly imagined. 22. It would be difficult to determine for the purpose of church rate, whether the owner were the original owner or the lessee. 23. The number of owners of property who are Dissenters, is so small, compared with that of the Churchmen, that there would be little difficulty with them: but as to getting rid of the plea of conscience, that is impossible, though you may have great doubt of its being a conscientious objection. The present conscientious objections to church rates did not originally exist as part of the system of dissent. 25. I do not see any mode of overcoming the difficulty of, what they call, the conscience of the Dissenter. The State has had to deal with one sect who certainly had a conscientious objection,—the Quakers, who held it wicked to go to war, and to maintain the Church; the State found no means of meeting their conscientious difficulty, but over-

whelmed it at once, by declaring that that scruple of conscience was not to be attended to. 26. And they are under compulsory laws to pay, it forming one of their "sufferings," as they call it. 28. As to the mode by which a satisfactory settlement of the church rate might be arrived at, the only mode which has suggested itself is this,—Considering that this is a question, involving the existence of the Established Church, I think that it is a subject of sufficient importance to call for a Parliamentary declaration upon it; and that if it were formally proposed as a question for public consideration, whether the national Church shall continue to exist or not as a national Church, and whether the law, which entails upon the public the payment of a very small sum of money in the way of church rate for the support of the national Church, ought not to be enforced, it is possible that an important change of feeling might take place, and that the enforcement of the law of church rate might be acknowledged a duty to the national Church, which the State ought to fulfil. 29. The alleged grievances of the Dissenters I regard as only commonplaces used to gain votes upon the hustings, and to excite party feeling. I do not consider them to be grievances. Their conduct shows, that on their part you will not have consent to any measure, which shall strengthen the Established Church, or cause her to be less the object of popular attack. 30. Their objection is altogether an objection to the Church, as an Established Church, deliberately put forward by persons, who have designs for the alteration of the connexion between the Church and State in this country; and no taking away any grievance will convert them. 31. The abolition of church rates is valuable to them, only as a first step to the abolition of the Established Church. 33. The diminution of the amount of church rate raised of late years is owing to the anxiety on the part of the Church to keep the rate at the lowest possible point, so as to avoid giving any offence which could be avoided. 36. The abolition of church rates would be the greatest blow to the Established Church which could be inflicted, because if the State yielded that point, I cannot see what excuse there could be for not so yielding the payment of tithes. It would seem to be the admission of a prin-

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Hale.

ciple, which would apply as much to the one case as to the other. If I am asked as regards Religion, whether Religion would suffer, that is quite a matter of theoretical opinion. I do not pretend to say, whether Religion might, or might not, prosper under the one state of things, as well as under the other, but the Established Church of the country would be destroyed by it. 37. If church rates were abolished, the churches might possibly not fall into decay; but the security which the Church now enjoys from its connexion with the State, would be seriously diminished. The abolition of church rates would be equivalent to the abolition of parishes, because you would take away from parishes the power of self-taxation. The same principle applies to a parish as to a county. Take away from a county the power of self-taxation, and the county would not exist. As to the alleged grievance of the application of church rates to other objects than divine worship and the maintenance of the fabric, I do not consider such application as necessarily grievances, provided that they tend to the benefit of the parish at large. It must be borne in mind that church rates, as they now remain, are only a part of that general power of taxation for the public benefit which, in most ancient times, every parish possessed for itself. I believe it to be true that the highway rates, and other rates, which are now enacted under the statute law, were originally for duties performed by the parishes, who thus provided for their local wants or local government. And, therefore, if I find a parish beadle paid out of the church rate, I do not consider that an abuse, because that officer is an officer of the parish, appointed for the general benefit of the parish. The same with regard to clocks and to bells, which are for the use and benefit of the parish. 38. The abolition of the church rate would deprive the parish of the power of doing any thing for itself; without church rate the parishioners could not conveniently meet in vestry for parish purposes; they would not have the means of paying for the pens and ink for the parish meetings; the parish would be annihilated. 39. Parishes frequently require a vestry clerk; and if the church rate were abolished, you would have no vestry clerk to do the work of the parish. He is a parish officer. 40. I am not at all prepared to say that the pay-



ment of church rates should be both made compulsory, and also extended to other objects besides the maintenance of divine worship and the support of the fabric. I would leave it to the parish to say whether such things ought to be, or not. If I made any thing compulsory, it would be simply the repair of the fabric, and the maintenance of divine worship, those being the objects, which the ecclesiastical court would sanction, as the proper objects of a church rate; but I think there was a power under the common law on the part of the parish, to make rates for other things than the actual repair of the church, such as the destruction of vermin for the general benefit of the parish. 41. I think that ancient cases might be shown from which you might prove the power of the parish to provide for those wants in that way. 44. As to the number of the parishes in which church rates have been refused, further investigation is necessary to ascertain it. 46. As to the making church rates compulsory, even in the parishes where they are now abolished, unless the law be compulsory it will not effect its object,—that of having rates made and levied. 47. I believe that the making the law compulsory would strengthen the Established Church; as on the other hand, I am prepared to say, that the abolition of church rates will weaken it. 48. If by a change of the law the burden of the church rate were laid upon the owners instead of upon the occupiers, and the occupiers knew that the legislature approve of these rates, and had determined that they were to be raised by this new process of applying to the owners instead of to the occupiers, I think that then for the sake of peace they would themselves make the rate without altering the law, and giving a power to make a rate in opposition to the feelings of a majority of the vestry. 49. A Parliamentary declaration as to the propriety of maintaining the national Church having been made, the conclusion from it would be, the making church rate compulsory on any parish for the maintenance of the fabric. When Dr. Lushington was examined before the Committee in 1851, he said, “Let the law declare what the objects of church rates are, and strengthen the law, and then we shall have no difficulty.” Strengthening the law cannot mean any thing else but the

Archdeacon  
Hale.



Archdeacon Hale. compelling all persons to pay. 50. Though the House of Lords declared that a church rate can only be levied by a majority of the parish, it never for one moment expressed a doubt as to its being the duty of the majority to repair the church. Those persons forming the majority, who do not act under the monition to make a church rate, are a disobedient majority, and in one sense of the word, an illegal majority; it is a majority refusing to do that which all the judges of the land declared to be the legal duty of the parish. By the change of times, and the change in the practice of the courts, the parish cannot now be brought before the ecclesiastical courts, and there pronounced contumacious, and made to suffer penalty in consequence. 51. I consider that the temporal courts ought to interfere, not to enforce ecclesiastical censures, but to enforce the law. In Lord Tenterden's time, a Mandamus was granted to compel a parish to elect churchwardens, which was rebellious in the matter of churchwardens, as other parishes may now be said to be rebellious in the matter of church rate. In that case the common law did interfere and enforce the election of ecclesiastical officers for the parish; and it seems to me that there should be an analogous remedy with respect to the repair of the church and the maintenance of divine worship. 52. Parties who opposed the Mandamus to make a church rate, would be liable not to ecclesiastical, but to common law censure. 53. Were the attempt made to give this power to the court of law by Act of Parliament, the doing it would require the greatest care, because when you convert ecclesiastical or common law into statute law, there is the greatest difficulty to avoid narrowing the operation of the law. 56. Notwithstanding the present state of public feeling, and the fact of the House of Commons having passed measures for the abolition of church rates, I think that such a power might be given by Act of Parliament to the courts of law; Churchmen consider that they have been left by their friends in a defenceless state, and we do not know, what would be the consequence, if the demands of the Church were properly sanctioned by high authority, and allowed to be justly followed up. 57. The rate should

be limited to the fabric, and to things necessary for the performance of divine worship. 59. Were church rates abolished, one effect in many cases would be the perfect impoverishment of the clergymen. 62. He would be in the same condition with respect to the church, in which he now is with respect to schools. It is incredible, how heavily the burden of schoolrooms and schoolmasters falls upon the parochial clergy from the difficulty of getting support from the farmers around. 62. If church rates were abolished, the farmers would act with regard to the church as they do with regard to schools, leave the clergyman to pay the expense of maintaining them. 65. The abolition of church rate would endanger the existence of tithes, because whatever differences there may be between them in point of law and in point of fact, the difference with regard to conscience is the same. The Dissenter will hereafter put forth the same objection against tithe which he now does against church rate. 67. The church receives the church rate for its maintenance, and the clergyman receives his tithes for doing his duty; and the arguments which may be used by any person against the payment of tithe, or against the payment of rate, on the ground of conscience, are equally just or equally unjust. 70. Were church rates abolished the right of any parishioner, Dissenter or not, to a seat in the church, should be preserved. 79. In those town parishes where church rates have ceased, they have been successfully supplied by voluntary contributions, but in country parishes there would be a great failure. 81. 84. In some town parishes, as in St. Barnabas, a district of St. Luke's, voluntary contributions wholly fail. 90. The help has come not from the parishes, but from rich individuals, and sometimes from persons at a distance, owing to the individual zeal of the clergyman who has applied to his friends for help. 94. Were an Act passed to throw the burden upon the owners, instead of the occupiers, the application of it to owners in large parishes should not take place, until a certain time had been allowed to all the parishes to consider the subject. Assuming such a law to have passed, I think there are very few parishes in which the rate-payer would not be glad to find

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Hale.

Archdeacon Hale. *a locus pœnitentiæ*, and prefer making the rates themselves. 96. They would know that eventually the burden must come upon themselves in the shape of increased rent. 97. In the case of leasehold property, the leaseholder would be accounted owner; but the burden would be very light. It is the principle of the church rate, not its burdensomeness, which is now in question—the matter relates to a payment of 25*l.* per parish. Under this plan owners not living in the parish would be liable. 106. As to exemption of the owner from church rate on the ground of conscience, there would be great objection to it. One does not see why a principle should be applied to the Church, which it is impossible to apply to other State matters. I do not see why a man's conscience should be relieved from paying to the church. I have to pay for other things which, if I choose to bring forward the ground of conscience, are just as much against my conscience, and yet you do not relieve me. 107. The objection to relieving persons on the ground of conscience, is this, that it is introducing into the English jurisprudence a perfectly new principle, and, I think, one very injurious to the State. 108. Were we to admit that Dissenters might be exempted, they would take advantage of the admission, and after all would not consent to any measure to secure parochial rates for the maintenance of the church. 109. I think that the landowner Dissenters would be glad to obey the law. The religious Dissenters are not really our opponents; but our opponents are persons, who have other political objects, and who are not themselves Dissenters earnestly attached to some particular church or creed. 113. Under a new statute law I cannot conceive that the owners would not do that which they ought to do, because in no case would they be applied to except for a definite purpose. 119. I believe that the number of owners of property who are Dissenters, especially not counting the Wesleyans as Dissenters, is very small as compared with the whole population. 122.

FRIDAY, JULY 15, 1859.

The Rev. JOHN CALE MILLER, D.D., Honorary Canon of Worcester, called in, and examined.

THE Condition of Birmingham.—Birmingham is one parish. 144. Prior to 1842 there were nine other churches, besides St. Martin's, the mother church, for each of which an estimate was made, and a certain sum assigned to each district out of the rate made upon the whole parish. 143. Since 1842 no rate has been made, but many new churches have been built, and this without regard to church rate, because it was gone. 169. Some were built under special Acts of Parliament; others under the Church Building Acts. There is generally one new church consecrated in each year. 174. The uncertainty as to maintaining the churches has not discouraged the building or the contribution. 176. Some of the older churches were built expecting to be maintained by rates. Any attempt to make a rate would set Birmingham in a flame (302, 303) under the present state of the law. 305. In 1841. 1599 persons assessed to the relief of the poor, and 4788 not assessed, formed the majority of 6387, who voted against the rate, only 597 persons voted for the rate, 523 being assessed to the relief of the poor, and 74 not so rated. The causes of refusal of the rate, were, to a great extent, political grounds; opposition to the Church of England; conscientious objection no doubt on the part of many. There were probably opinions as to abuses in the church rate which precipitated the suspension, e. g. churchwardens' expenses at the visitation dinner. 147, 148. The mother church is now maintained by a collection made by the churchwardens from the persons who have seats assigned them. 154. The expenses amount to 400*l.* or 450*l.* per annum, besides extras, 180; for which churchwardens make special collections, being sometimes out of pocket. 182. The present system of providing for worship, and maintaining the fabrics, is a millstone round the necks of the great

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majority of ministers in Birmingham, 178; if extended to the whole country, the total abolition of church rates would be spiritually the greatest national calamity. 328. How St. Martin's fabric, or that of the other churches, could be kept up, no idea can be formed. 233. The spire of St. Martin's was ready to fall; it cost 7000*l.*, but the money though raised came in so slowly, that the very words "St. Martin's spire" were tiresome to men's ears and eyes. 234. Begging is now a chief element in the duties of the clergy, 238; interfering most seriously with parochial duties, and adding largely to their anxieties, 241; they are becoming in consequence more secularized every day. 242. The other clergy of Birmingham are paid by pew rents, and have most inadequate incomes. The great evil of the present system is, that every thing is obtained from the pockets of the generous few. There are unworthy Churchmen calling themselves Churchmen, who give nothing. 185, 186. There should be a compulsory rate upon all Churchmen for the maintenance of the church, 187. 195. 203. 289. 337; a voluntary rate would be an entire failure if attempted universally throughout the country. 213. Many approve church rates in theory, say that a church rate ought to be made; know that it cannot be made; would think it madness to attempt a rate in Birmingham, and yet never give any thing. 214. The voluntary system requires that every minister should be above the average. 232. But all Dissenters should be at once exempted. 187. The argument that this would be a pecuniary premium upon dissent not worth much; such a feeling would not operate in Birmingham to any considerable extent. 188. The objection against "ticketing" Dissenters is puerile; if a man is a Dissenter, he is known to be one. 189. 251, 252. He ought not to be grieved to claim exemption in a formal way, as a check against dishonest persons stating themselves Dissenters. He should be exempted in the most inoffensive way, upon declaring, I, a Nonconformist, declare that I am not in communion with the Church of England. 191. 197. 212. Persons would not declare themselves and get exempted, except on conscientious grounds, they should not be deprived

of baptism, marriage, or burial, 192, or other ministrations, 204, lest their separation from the clergy should be final. 205. A person exempted should not have a pew in *preference* to a parishioner who paid the rate. 200. 221. 223. Might be a member of the vestry, except for the purposes of the rate, 201; and legally be a churchwarden, not carrying out strictly the logical consequence of exemption. 202. Declaration should be annually renewed, to give opportunity for return to the Church, 209, 210, 211. 224, before the meeting of the vestry. 225. To exempt upon a statement that a person had a conscientious objection against paying a rate, would be a poor way of exempting. 215. The book should be called over on the 1st of January; persons claiming exemption should have no vote. 226, 227, 228. The claim to exemption would not be objected to by that class of Dissenters in Birmingham, who conscientiously and religiously object to church rate, but that class of Dissenters, who have declared that the abolition of church rate is only the first step to the confiscation of Church property, could not be expected to be satisfied. 250. There is no town in England in which there is more constant and ready co-operation between Dissenters and Churchmen. 255. The Dissenters who thus co-operate, would not object to payment of church rates being made compulsory on Churchmen, and not on themselves; but not so the other class of Dissenters, who have ulterior ends in their opposition to church rates. 256. 258. 265. Doubtful which class of Dissenters preponderates in Birmingham. 266. It is the opinion of Dissenters, as expressed in vestry in 1852, that it is highly unjust, that persons who are not members of the Church of England, and who are Dissenters from it, should be compelled to contribute to the support of the churches and institutions belonging to that establishment. But there was another principle introduced in 1832, that every religious association ought to depend on the voluntary contributions of its members for its support. 190. The Dissenter has now a double charge. 191. The great objection of the Dissenter is his supporting an unscriptural, because an established, Church, 190. 259, 260. A large body of Dissenters hold this opinion, and who look forward to, and desire the time, when the Establishment shall

Rev. Dr.  
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be overthrown, but who do not think the time yet come. This is the opinion of an eminent Dissenting minister in Birmingham. 261; but not that of the Wesleyans. 262. In Birmingham, and in all large towns, there is a class of persons who take up questions of this sort on the strongest democratic grounds; such persons would be difficult to deal with; the calm thinking Dissenters would take a right view, 316; but whether in a large public meeting the proposal to exempt Dissenters and tax Churchmen would be carried, is uncertain, it not being known who would attend it. 267. Churchmen might vote against church rates, disapproving of rates as at present levied. 271. The object of the rate should be limited, luxuries, e. g. organs, being excluded. 272. In Birmingham, no rate could be obtained for a district church, but in other parishes the battle lost in gross might be won in detail. 273. District churches are a grievance. 275. The power of levying their own rates is absolutely essential. 276. Throwing the burden upon the owners would not be received by the Dissenters as a settlement of the question, 253. 277; and therefore should not be tried. 279. The present inconveniences could not be remedied by giving great power to ecclesiastical or civil courts, 280; nor would it be favourable to the real interests of the Church. 281. The enforcement of the present law, even in other places than Birmingham, would be productive of evil to the Church of England. 314. Churchmen would be willing to tax themselves. 318. The Clergy are unwilling to exempt Dissenters, 286; but without the exemption plan, the rate is gone, 287; they consider it giving a premium to dissent, and stereotyping it in the country, and involving the question of a Church establishment. If the church rate is relinquished from the Dissenters, the Church would not cease to be a national establishment. 288. Tithes and church rates stand upon a different footing, one upon law, the other upon a rate. 291. To attack tithes is revolutionary, but this not felt as to church rates. 291. Parishes in which no rate has been made, ought not to be perpetually exempted, the church rate ought to be dealt with upon one principle. 320. A bonus to parishes for disobeying the law, is an unwise measure; it is a



radical error, to deal with that, which the Dissenters make a matter of principle, in different ways in different places. 322. Some clergy hold a different view. 323. Nothing but fair objections may be expected to the exemption plan. 325. A compulsory power upon Churchmen would not be injurious to the Church. 326. Dissenters being exempted, the law should define the payments out of the church rate, but the rate should not be enforced in the ecclesiastical court. 330. The rate should be obligatory. 331. There are objections to rating all persons, and then requiring the Dissenters to name the place of worship to which it should be applied. They would object to a compulsory rate for any religious purpose. 336. A fabric rate would now be opposed. 337. If all Dissenters contributed to the fabric, they might begin to require the use of it. 339.

Rev. Dr.  
Miller.

The Honourable and Reverend GRANTHAM MUNTON  
YORKE is called, and examined.

INCUMBENT for fifteen years of the church of St. Philip's, Birmingham, a parish formed out of the parish of Birmingham in the reign of Queen Anne. Has been without any church rate for thirteen years. The expense of carrying on the worship is 200*l.* or 220*l.* a year. In the thirteen years 4000*l.* has been laid out upon the church, obtained by begging, 349: one-tenth of which was given by Mr. Yorke, 351; but 7000*l.* is now required to re-case the exterior, which is dangerous, 352; but the business is hopeless. 355. The influence of the clergyman is diminished if he is constantly begging (351); laymen will not undertake it. Persons are deterred from taking seats if the seats are taxed for the expenses of the church; and the income of the clergy is diminished. 360. 365. 379. This is the case of St. Thomas's. 365. New churches are built upon a temporary enthusiasm, but the building has nothing to do with the church rate question. 368. 370. The voluntary system depends upon the per-

Hon. and  
Rev. G. M.  
Yorke.

Hon. and  
Rev. G. M.  
Yorke.

sonal ability of the incumbent. 390. Evil of collections. 415. As to Birmingham, the atmosphere is so destructive to public buildings, that the public are more called upon to repair them than in any other place. 395. The clergy and churchwardens have memorialized the Government, praying that other places may not be put in the same condition as Birmingham. 434. Intelligent Churchmen in Birmingham have no strong feeling in favour of the abolition of church rates. 435. The total abolition of church rate would make no difference there. 433. The political Dissenters got up a meeting against that memorial, but it was a failure altogether. 436. A shilling in the pound produces in Birmingham 60,000*l.*; one-twelfth would repair all the churches in Birmingham. 404. If added to the poor rate, would not be appreciable by Dissenters. 405. The objection to church rates in Birmingham is chiefly political; it originated in the agitation of the Reform Association. 394. 396. As to change in the law, an agitation might be got up any day in Birmingham upon any thing touching the question. 396. But churches might be repaired by a competent body out of poor rate or county rate without any remark or trouble. 396. The Dissenters would not object, if it were not named a church rate. 397. The conscientious Dissenter would be glad of an excuse to pay the rate to the fabric, though not for the services (403), and under another name. 399, 400, 401. But the political Dissenters would not. 402. Where the church rate is lost, means should be devised for maintaining the fabrics (423), leaving the congregation to provide for services (412); the church rate should not be attempted to be restored, being odious in such places (425); but to do it away when collected, as it is in a large portion of the parishes, would be monstrous; there can be no excuse for putting it into the pockets of landowners. 423. If Birmingham were divided into separate parishes, some of the difficulty might in some of them be got over; but in the very poor districts a rate would be very difficult. 408. As to exempting persons stating themselves to be Dissenters, it would be a thousand pities to draw the distinct line between the Church and Dissent (and to cut off those,

who at a future day may come back, 418). Many Churchmen would avoid the church rate by saying they had scruples. 416. It would be a pecuniary premium upon declaration of dissent. 417. Many, particularly Wesleyans, would object to declare themselves Dissenters. 420. Many Dissenters use the offices of the Church; to mark them off would be impolitic (421), and thus prevent their returning to the Church. 422. Churchmen would feel it unjust that other properties should be exempted, and their own charged. 426. The objection of the Dissenters is not right (428), because it is a rate upon property. 431. As to Edgbaston, church rates have been collected the last two or three years. A rate was then assessed, to be collected only from those who would pay it; it did well at first, then fell off, and will not be attempted again. 440. 443. The plan was tried for the sake of peace, to please a small knot of Dissenters and Quakers. Edgbaston contains the most opulent persons connected with Birmingham. 445. The vestry of the whole parish of Birmingham is the greatest evil, and should be abolished.

Hon. and  
Rev. G. M.  
Yorke.

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The Right Honourable CHARLES EARL OF ROMNEY,  
a Member of the Committee, is examined.

CHURCH rate was refused at Maidstone in 1853, and has ceased to be collected. In 1853 there was a great majority against the rate. 500 persons voted whose votes were doubtful; had they not voted the majority would have been in favour of the rate. The men that came and raised opposition to the rate were not *bonâ fide* Dissenters, but political Dissenters. 472. In all large parishes if a struggle arises respecting church rate, it is uniformly a question of political parties. 483. Churches have been built in Maidstone since 1853 by subscription. The church rate is now provided by subscriptions from Lord Romney and his tenants (464), but other persons sit in the church, and will not contribute.

Earl of  
Romney.

Earl of  
Romney.

466. The money is every year got with greater difficulty.  
467. The rate would have been obtained in Lord Romney's district, but for persons coming from another district and swamping them. 467. If the districts were charged with their own rates, and relieved from rates for the mother church, this evil would be avoided. 470. It is felt as a hardship in a new district to pay pew rents, and also rates for the mother church. 471. A tenant takes into account the amount of his church rate (468), and the payment of church rates out of the national funds would be a relief to the agricultural interest. 469. It is a great hardship, when a man voluntarily charges his property with the amount of church rate, and finds that other people have got their property exempted by bringing down men to vote against the rate, and subscribing themselves nothing afterwards. 475. If owners of land were to be charged with the fabric, and occupiers with the expense of the services, at the end of five years the churches could not be kept for the use of the Church alone, 476; but there would be no objection to a fabric rate from which Dissenters were exempted. 477. Landlords do not contribute as landlords, but, as members of the Church, *assist* in building and repairing. 478. Persons would not say they were Dissenters to avoid the rate. 490. The exempting Nonconformists would restore an amended state of the law in Maidstone; whilst Churchmen would pay readily. 489. The poor attend the popular preacher, Churchman or Dissenter; how far a man is a Dissenter is already known. 488. Many people were in favour of the rate and think it quite right; but when the compulsion ceased, they were not inclined to adopt any other mode. 491. The asking subscriptions, whether for church or school, is a most disagreeable duty; has a bad effect upon the Church generally; incessant and wearisome, there is great difficulty in keeping up schools. 501.



MONDAY, JULY 18, 1859.

CHARLES HOLT BRACEBRIDGE, Esquire, called in,  
and examined.

CHURCHWARDEN of Atherstone, a township of Mancetter, with a population of 4000, three-sevenths of which are Dissenters, having seven chapels belonging to five bodies of Dissenters. The church seats 1200, and is full. 335. The chapels 2000, but not filled. 579. 505—514. The majority was against a rate, but they permitted the minority to carry a rate, 513; but it was a fabric rate alone, made by the churchwardens in due legal form, of twopence in the pound; it was by agreement a compulsory rate. 580. The vote for the fabric was an unanimous vote. The majority refused a four-penny rate for general expenses, but let it pass that year, on the understanding that the next year it should be twopence for the fabric alone. 526. The majority never afterwards opposed, they understood that the agreement was made, two gentlemen were appointed churchwardens, who were bound in honour to carry it out. 534. The rate was for the sustenance of the fabric (the bell and the clock included), sweeping roof, and church wall. 539. The money for the services, &c., has been obtained for three years by a voluntary rate or subscription—2s. 6d. a sitting, though some gave more. 516—519. The rate for the fabric was 43l. 16s., reduced by excused houses to 35l. There are no pew rents in Atherstone, churchwardens appropriate the seats. Rates were never refused in Atherstone, but it was an understanding that the future rating should depend on the decision in the Braintree case. 541, 542. Dissenters were present when these rates were voted, but there was the influence of certain squires and gentlemen. 545. Atherstone is more than at peace, heartily satisfied, 548; and will remain so. 550. If church rates were abolished, a larger voluntary subscription would be paid, and there would be a diminution in the general charities. 552. In Atherstone voluntary contributions would be got for the re-

Charles  
Holt Brace-  
bridge, Esq.

Charles  
Holt Brace-  
bridge, Esq.

pair of the fabric, the church having been lately built, and the burden of repair not being heavy. 553. In towns the money could be raised, but in the country there would be great difficulty. 554. 557. The Dissenters of Atherstone would not give voluntary contributions to the fabric, though some have subscribed to the building of the church. 558. Four-sevenths of the people, a majority, are Churchmen, but they would not come to the vestry or support the rate; hence the majority against the rate. 578. The chapels altogether have cost 6750*l.*, the church worth 7000*l.* 579. The Dissenters maintained a religious feeling, when the Church was in a very low state. 580. The Dissenters are all supposed to pay. The church has one-third of it free. 583, 584. 586. Mancetter is a rural parish in which there is no difficulty in making rates. Atherstone, by Act of Parliament of Charles II., pays two-thirds of the poor rate to Mancetter, but they now refuse to pay to Mancetter in that proportion for church rate. Had an attempt been made to make a rate at Mancetter to include Atherstone, Atherstone would have appeared in the vestry at Mancetter, and have had it all their own way. 575. Atherstone is a fair specimen of towns, except that there are in it two gentlemen who have influence. Mr. Bracebridge, who supports a four-penny rate; Mr. Dugdale, who supports the two-penny, thus the influence is nullified. If the law limited church rates to the fabric, nearly all the objections of Dissenters would be removed (except in places where church rates have not been made for seven or ten years, and in Birmingham where property has been sold repeatedly without any church rate upon it, 595), 601, 604; but the amount of the rate should be defined by some authorized person, an Architect appointed by the Archdeacon with appeal to Quarter Sessions. 597—599. In Birmingham a fabric rate might be established, if confined to Churchmen. 603. In all parishes which have not paid rates for a certain number of years the rate should be extinguished. The law should be prospective as well as retrospective, because though the rate is compulsory, the amount is voluntary. 614. If Dissenters contributed to a fabric, they would not be satisfied,

but if taxed it would be on the ground of civil advantages. 617. A rate upon Churchmen alone might be collected in Birmingham, though the advantage of the scheme does not appear. 625. A *de facto* Churchman would pay the rate, but those who were not, as many thousands in Birmingham are, would not. 627. Dissenters would not feel it to be a hardship to obtain exemption by signing a declaration. 629. Upon a general settlement of the question (632), the signature should be countersigned by their own minister. 633. The small tenement act should be applied to church rates, throwing the payment upon the landlord. All tenants should be allowed to recover the church rate from their landlords. 637. Quite practicable in large towns. 639. The landlord is he who receives the rent. 643. Rates should not be abolished entirely in those places where they have not been levied for several years. Dissenters being relieved, there can be no objection to making Churchmen pay. 646. The rate should be thrown upon the landlord. 647. The occupier being a Churchman he must pay, though his landlord be a Dissenter. 652. The difficulty of the rate falling upon the Dissenter landlord not to be got over. 650.

Charles  
Holt Brace-  
bridge, Esq.

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Mr. SAMUEL MORLEY, called in, and examined.

AN Independent. Objects to church rates on the conscientious ground of an objection to forced contributions to religious worship. 656. The cause of religion is injured by forced contribution for its support. As a Dissenter this is the ground to be taken. The political ground of objection is, that the less governments have to do with such matters the better; their interference has always been dangerous to the cause of liberty; the cause of freedom is served, by keeping a government away from that kind of action, and from having any thing to do with religious opinion. 659. It is for the benefit not only of the Independents, but for the community at large, that all compulsory payments should be done away.

Mr. Samuel  
Morley.



Mr. Samuel  
Morley.

660. There should be no State religion. The progress made by the Church of England during the last ten years shows that religion would be promoted by removing the hindrance of compulsory payments. 661. If Dissenters were relieved from church rates, their efforts would be as vigorous as before to establish the principle of general exemption, on the ground of injury to religion. 662. If actuated by hostility to the Church one would not abolish church rates ; but they are a sore, the removal of which would be an universal benefit. 663. These are the feelings of a large body of the Nonconformists, who are misrepresented, when it is said that their feelings are more political than religious. There is a deep religious conviction in those who are most influential in these matters. 664. Opposition to the Church is not the basis of much of the influence brought to bear amongst Dissenters. 694. The great object is to separate Religion from the slightest connexion with the State: 799. State influence and magisterial power—force as opposed to principle—has acted deleteriously on the cause of religion. Where that force has been repudiated, in places connected with the Church of England, there has been a greater exhibition of religious principle. 698. Compulsory payments have a tendency to keep up a greater line of demarcation between serious Churchmen and Dissenters, which have disappeared, when these causes of irritation have been removed. Dr. Hook repudiated forced contributions, and left Leeds respected by Dissenters as much as by Churchmen. 736. The separation of Church and State is an object which a number of earnest men have set before themselves ; that one object is a religious one. There are dissenting ministers of repute, who have a deep conviction that the cause of religion would be promoted by it. 753. Not only church rates, but the connexion with the State is injurious to religion. 755. The church rate should be got rid of as a fruitful source of irritation, but there are other views held by not a few, with which they seek to indoctrinate public opinion. 756. A society has been originated for the separation of Church and State, consisting of Protestant Dissenters. 848. Mr. Morley's name is printed as one of the committee. Its object

is the liberation of the Church of England and Ireland, and the Church of Scotland, from all State control. 760. The removal of legislative action would give spiritual life in the place of mere officialism. 761. The question of church rates not the only hindrance to the designs of the society. 762. The Church would be stronger by separation: Dissenters would be more likely to join the Church. 708. 774. The question of church rates not so much a grievance to be removed, as a great religious question to be carried out. 778. A very large proportion of the Independents have this feeling; but a very large portion of the people, in the country, do not entertain these opinions, and very few members of the Establishment. 780, 781. The voluntary principle ought to permeate and actuate religion in every thing, and without it, it will not have the vigour it ought to have in this country. 791, 92. The Dissenters would not be satisfied by relief from maintaining the fabric of the church. If a Bill were brought into Parliament to charge Churchmen with the support of their own places of worship, on the morrow an opposition would be commenced which would be fatal to the measure, 797; though possibly there might not be a very large Church element in the opposition. 748. Churchmen ought not to be compulsorily called upon to support their own churches. 800. The Dissenter feels a religious difficulty in the matter, and the passing an Act of Parliament to make Churchmen repair their churches compromises him as much as the Churchman. Every citizen is compromised by the character of the legislation of a country. 802. The Dissenters have influenced public opinion so much, that no government can stand, which does not settle the question. Not among Dissenters only, but among other bodies, who have influence with the constituencies, there is a determination which will ultimately settle the question, and we are on the eve of a settlement of it in a way which, we trust, may be most conducive to religion. 837. The existence of a government, which should propose that Churchmen should rate themselves, would probably not be imperilled, but every constituency has a body, which represents these views. The Liberation Society has correspondence in every constituency; there

Mr. Samuel  
Morley.

Mr. Samuel Morley. is co-operation with it, not merely in behalf of mere noisy talkers, but of earnest thoughtful persons in every constituency and moderately large town; and there is a course of action, which candidates understand perfectly well, and which is found to be operative on this particular question. 842. The power of the House of Commons to pass a law for Churchmen to rate themselves is very doubtful: that kind of settlement would excite an amount of opposition, which would occasion some difficulty; the Dissenters would endeavour again to obtain the repeal of such a law. They would rather have the question remain as it now is, than have it so dealt with. 843. There would be a great necessity for caution in a total abolition of church rates, with reference to payment of the clergy in some places. The change requires mature thought, and time for the arrangements. 852-3. The Society sometimes sends down individuals into the different parishes in the country, but not frequently, it has corresponding members and local committees, and suggests in publications the modes of resisting church rates. 844, 845. The church rate question is not a dissenting question only, but affects four or five thousand district churches in the kingdom. 820. These objections might be removed by allowing the districts to maintain their own churches. 794, 795. When several Dissenters a few years since proposed that Dissenters, who contributed to their own places of worship, should be exempted from church rates; the proposal was scouted by a large proportion of those to whom it was submitted. In many places, the cessation of the rate has resulted from large co-operation by Churchmen. 822. The continuance of church rates in country parishes, and discontinuing them, when they have practically ceased, does not meet the objection of Dissenters; but only of a very small minority of them. 823, 824. The Dissenters feel great difficulty about the rural districts, one must be quite aware of the difficulty of sustaining fabrics in country parishes; there is also a difficulty in requiring Churchmen to abolish church rates in country parishes, when they work practically well, and are levied without difficulty. 825. If country parishes were exempted from the abolition, the fact that the law of church rate remains, would still be a difficulty felt by the Dissenters. 826.

Though only five hundred parishes out of twelve thousand object to church rates, so that it is said to be unreasonable to insist upon those who are willing to pay them giving them up, yet with reference to the population, the proportion is much larger, and though the opposition may be successful only in five hundred places, yet in many hundreds of places, on the part of a small minority of Dissenters, a continual irritation is kept up. 829-31. One would not feel the slightest objection to an Act of Parliament, but would gratefully feel it as a mode of meeting the question, which should enable parties locally to appropriate money for the fabric of their church, to be assisted from some general fund, either through the Ecclesiastical Commissioners, or by endowments in any other shape. 846, 847. Endowments formed by private beneficence, for instance, money put in trust for the Church of England by any one, ought to be held sacred. 726. 734. The property of the great dissenting body depends upon this principle. 877. In the census of 1851, the persons occupying sittings in dissenting chapels equalled or exceeded those of the Established Church. 782.

Mr. Samuel  
Morley.

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#### THURSDAY, JULY 21, 1859.

THOMAS ALCOCK, Esquire, a Member of the House of Commons, attending by permission of that House, called in, and examined.

RESIDENT at Kingswood, in the parish of Ewell, containing nearly 2000 persons, not particularly many Dissenters in it. 857. There was opposition to church rate twenty-three years ago, when a district church was built at Kingswood (for a population of 250, 866), Mr. Alcock's residence. 858. Kingswood is five miles from Ewell. It was thought hard to pay church rates to Ewell without the smallest advantage. Attention was directed to the rates at Ewell; they were found high, and many items in them objectionable. They amounted to 200%. or 300%. a year. They included

Thomas  
Alcock,  
Esq., M.P.



Thomas  
Alcock,  
Esq., M.P.

organist, vestry clerk, warming, alteration of pews, clock, fire-engine, &c., all of which were considered unfair and illegal, and hard upon those who had built their own church, and kept it in repair, and paid the expenses of it. The parish went to law, but at last gave way. The extra things were reduced, the matter was amicably settled, for twenty years the reduced rates were paid, but now, being in existence twenty years, exemption is claimed, and for three or four years no rates to Ewell have been paid. 859. No rate is levied at Kingswood; Mr. Alcock pays all the expenses, the chief part being his property. The rates upon Kingswood to Ewell when reduced were paid by Mr. Alcock.

872. Mr. Alcock brought forward a Bill in the House of Commons of a permissive character, 874, 875, as follows: that certain Commissioners should ascertain the amount of church rate expenditure for an average number of years, and allow the parish to provide a permanent fund of the amount fixed by the Commissioners, and that the Commissioners should discharge the parish or district for ever from church rates.

876. The Commissioners in ascertaining the past expenditure were to have power to raise or reduce the amount of the permanent fund, according to the particulars of the case.

877. The endowment fund might be managed by the ministers and churchwardens. Dissenters who would fight against being compelled to pay sixpence, would be happy, in many cases, to contribute to such a fund, to make peace and terminate litigation. 880. Mr. A. would not leave the law in its present condition, being in favour of total abolition; but if that is not likely to be carried into effect, Mr. A.'s scheme would be a great improvement of the present system. 882.

The dissenting owner would subscribe for the sake of peace; an owner might now endow a church, but he would not get a discharge from church rate. 883. This plan would be hopeless in great towns; the Dissenters would not then come forward, but they would do so in rural parishes. 885. The plan might be appended to a Bill for enforcing church rate, but not to a Bill for the abolition of it. 887. The annual meeting of the vestry should be got rid of (921); if the matter be settled on a permanent system, that odious sort of

meeting is got rid of for ever; people may be expected to come forward handsomely and boldly for once in their lives. 892. An annual vestry for raising money is objectionable, but not one for spending it. 900. Dissenters would not interfere, it would be such an ungenerous thing to do so. 901. In Mr. A.'s parish, in Lincolnshire, Theddlethorpe, there are permanent funds in which Dissenters do not interfere. 903. That permanent fund produces 15*l.*, and they raise 15*l.* more. 904. Improper expenses have been paid out of the church rate; twenty years ago, half the church rates, then talked of as 550,000*l.* rested upon abuse; it is now only 250,000*l.* The opposition to church rates been greatly in consequence of gross abuses being foisted on those rates. 927. A large proportion of the opposition might be removed if a proper and reasonable rate were asked for. 928. The difficulty would have been obviated if a few years ago church rates could have been made as the highway rate, there being a competent authority to object to improper items; but the time is gone by when such modifications would make the church rate generally satisfactory. 931. Dissenters are the chief objectors to church rates, but it would not do to exempt them; farmers would object to paying the proportion due from the Dissenters; many do not like paying at all. 936. The Dissenters would not declare themselves Dissenters, but would defy being charged to the rate, and stand upon their rights. 939. The Dissenters complain of being called to support a church to which they do not conform, 940; and the exempting them would, in a great measure, remove every reasonable ground of complaint; and yet, as a general rule, it would not answer. 941.

Thomas  
Alcock,  
Esq., M.P.

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The Right Honourable THOMAS HENRY SUTTON  
SOTHERON ESTCOURT, a Member of the House of  
Commons, attending by permission of that House, called  
in, and examined.

THE church rate question is a great impediment to the comfort of Churchmen and the course of public business. 942.

Right Hon. Church rate is a sum for the repair of churches and other cus-  
T. H. S. S. tomary charges raised by the voluntary contribution of the  
Estcourt. inhabitants. There is no extrinsic power to determine the  
amount or to compel payment; it does not exist unless the  
rate-payers determine to levy it, and is therefore *qua* parish a  
voluntary contribution. It would be best for the country, that  
the sum should be annually voted, rather than that a sum  
which is uncertain and variable, should be commuted for a  
permanent fund. But the payment or collection of church  
rates is objected to, and it assumes a question of religious  
toleration or religious persecution. My own aversion and that  
of the English to even the appearance of religious persecution  
is so great, that one becomes quite willing, that any person  
who can assign that reason for non-payment of church rate  
shall be exempt, and accordingly to exempt Dissenters or  
those who profess any religious scruples from the payment.  
The real difficulty is, that arrangements cannot be made for  
this purpose without a certain amount of injury to the in-  
dividuals and to the Church. The Dissenter will not consent  
to make a declaration of religious scruple and to be ticketed.  
The Church is injured by your driving out of the category of  
Churchmen in the particular parish all those to whom the  
exemption is applied. I do not believe that the Dis-  
senter desire to be excluded formally from the Church; many  
contemplate the possibility of falling back into the ranks of  
the Church. They are married and buried in the Church,  
and would not like to stamp themselves as excommunicated  
and separated from the Church. You must, therefore, in the  
first place, exempt all who have any religious or other objec-  
tion; and the point to arrive at is, to ascertain before the  
meeting for making a rate, who are to be exempted. You  
should avoid calling together persons to vote an assessment,  
who have declared, that they intend to object to it. The  
objection to this exemption is, that all property is acquired  
subject to a liability to church rate, and that the relieving one,  
throws a greater burden upon those who pay. The objection  
would be good, if church rate were identical in its nature with  
other parochial rates; but since it does not exist, unless it is  
voted, and therefore the contribution is purely voluntary (the



meeting is purely voluntary), there is no great objection in principle to dealing with this case, individually, instead of parochially. The parish is not assessable, unless it chooses voluntarily to assess itself. The solution of the question is to be found, in dealing with the church rate as an individual, and not a parochial assessment; and we arrive at this, that any person who objects, shall not be liable, and that his objection shall be stated prior to the meeting. The vestry will then have to determine, whether the repair ought to be incurred, and to what amount the persons present shall contribute. The scheme is in a rough shape, but the essence of it is this,—for political reasons it is indispensable, that church rates on their present footing should be abolished; but a church repair fund should be raised every year. The churchwardens are to make an estimate of the expenses for the following items. 972. (Possibly the enumeration of them may be improved.) 1. Repair of the fabric. 2. Inclosure of the churchyard. 3. Keeping church and yard clean. 4. Provision for services. 5. Fees lawfully payable. The statement of expenses and amount to be fixed to the church door. No rate to be raised in any year exceeding a certain sum. The amount now raised is equivalent to 1*d.* in the pound, but since one-half at least of the present contributors may for some reason or other abstain, 2*d.* will be required; but since there ought to be a margin, 3*d.* should be the sum, which should not be exceeded. 943. The notice being placed on the church door, a paper is to be left at the house of every rate-payer, stating the sum required, with two columns for assent and dissent. The assenting parties would be the only persons capable of attending the meeting: they would grant either the full amount or not, of the churchwardens' estimate; and some easy legal power (949—953) should be given of obtaining the amount from every one, who had not signified his dissent, provided it did not exceed 3*d.* in the pound. The dissenting parties should be declared incapable of occupying any seat in the church during the year, or of having any voice in the management of the church. Every ecclesiastical district to be rated as a separate parish, and rates for the mother church must be raised within the district assigned to the mother church. 944. The election

Right Hon.  
T. H. S. S.  
Estcourt.

Right Hon. of churchwardens should remain with the vestry at large, to avoid  
T. H. S. S. drawing a discriminating line between Churchmen and Dis-  
Estcourt. senters, 945 ; but it would be reasonable, that the churchwarden  
should be one who pays his quota. The maintaining the voluntary  
principle is better than making a fixed charge upon property ;  
no scheme of commutation including all classes of property  
would be satisfactory now. 947. The town and country  
parishes should be all upon the same system. 948. The  
maintenance of the present system has become more and more  
difficult, though the feeling in the country has not grown in  
proportion to the feeling within the walls of Parliament. In  
the last fifteen years the question of church rates has become  
a source of political capital ; but we have no right to infer  
that the feelings of the people of England correspond with  
the noise which is made in both Houses of Parliament on the  
subject. 958. The decision of the Braintree case has led  
to the church rate being now considered only as a voluntary  
contribution. 960. In the large towns where church rates  
have ceased, it would not be practicable or expedient to  
recover the collection, or to make it compulsory. If under  
the plan proposed every rate-payer objected, no rate could be  
raised ; but if a change took place in the opinion of the  
inhabitants, even at the end of twenty years, a majority or  
even the whole of the parishioners might think it desirable to  
raise so small a sum as 3*d.* in the pound ; and they might do  
this without disturbing the ordinary habits of the place. 962.  
To attempt to make church rates compulsory would be  
unwise. Parliament would not adopt such a plan, and it  
would be prejudicial to the Church. 964. It is remarkable  
how little increase there appears to be in the objections to  
the payment of rates. The great mass of the rural parishes  
desire nothing more than to be let alone. 965. Whether  
if matters were left as they now are, the Church would be in a  
worse condition one cannot tell, but it is discreditable that  
Parliament should have every year different Bills brought in,  
and the whole matter ripped up, without a more decided  
attempt to settle it. 974. Any great expenditure ought not  
to be put upon the annual rate, but provided for by the  
contributions of the well disposed, and of the owners. 978.

Separate parishes ought not to pay a larger rate than the average rate for all England, say 3*d.* 980. 3*d.* paid universally would raise three times the sum which has been raised in the last seven years. 994. The rate would be a voluntary rate. 992. Conceives that, since the decision of the Lords in the Braintree case, church rates have been virtually at an end. 984. Has heard that parties obstructing a church rate are punishable for doing so. 985. And is aware that, so late as 1842, such persons have been proceeded against in the ecclesiastical courts, 987; and has heard that this was, in fact, one reason why the Lords decided that the minority could not make a rate, namely, because the majority might be punished for not concurring, 986; but does not think this circumstance affords much remedy, because ecclesiastical discipline has not been strongly enforced for 400 years. 987. The objection to admitting Dissenters to claim exemption as Dissenters is met, by allowing every one who objects to the rate to be exempted. 1009. Many Churchmen would object, but in a reasonable time they would be ashamed of so doing; but if not, it is better that they should not be compelled to pay. On the other hand many Dissenters would no longer object, there being a maximum fixed, and the objects of the rate being fixed by law. 1010. It is not desirable to draw a line of demarcation between Dissenters and Churchmen; the disability which might be the consequence of non-contributing the rate should be the same whether the objectors were Dissenter or Churchman, 1015; he should have no seat in church, nor any voice in vestry, respecting the expenses of the church. 1016. The repair of the church ought to be an incident to which all property is liable, but being content to exempt those who have a religious objection, you cannot draw the line of religious exemption without permitting other persons who object for other reasons being included in the exemption. 1026. The effect of a simple and unconditional abolition of church rates would be that of flogging the willing horse; there would be no fairness of proportion in raising money for the maintenance of the churches, 1030; the clergy would make great exertion, but the necessity of begging for the repairs ought not to

Right Hon.  
T. H. S. S.  
Estcourt.

Right Hon. be laid upon them, it would seriously interfere with their  
 T. H. S. S. pastoral duties. 1032. The only party who would have a  
 Estcourt. right to object to this plan is the Churchman. If the Dis-  
 senter is permitted to avoid the rate, and not be placed in an  
 offensive position, he can have no further ground for inter-  
 fering in the matter. 1029.

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The Venerable ARCHDEACON SANDFORD, Archdeacon  
 of Coventry, called in, and examined.

Archdeacon THE churches of the archdeaconry are in an improved  
 Sandford. state in the last nine years, but the churches of Birmingham  
 are going to decay. Their state is conclusive as to the  
 efficiency of the voluntary system. If any clergy could up-  
 hold their churches under it, the clergy of Birmingham  
 could. The great difficulty of collecting a rate at Birming-  
 ham arises from the rate being levied at the mother church  
 for the whole town. Some of the Birmingham clergy believe  
 that even now, after twenty-five years' suspension, they could  
 obtain a rate for their own districts. At Coventry, the parish  
 of St. Michael's has a rate confined to the sustentation of the  
 fabric. The Dissenters do not object to contributing to it.  
 The not allowing district churches to make their own rate  
 operates injuriously in towns. At Nuneaton the making  
 rates in districts has been successful. In one district  
 there are many Dissenters, but the rate was unanimously  
 voted. 1043. Though in individual instances Dissenters  
 do not object to a fabric rate, the confining the rate to the  
 fabric would not remove the difficulty. Influential Dissenters  
 have stated that this would not satisfy them. Some have  
 said, Nothing of this sort would satisfy us, unless we had the  
 use of the fabric. 1090. And the political Dissenters de-  
 clare their object to be the separation of the Church from the  
 State. 1044, 1045. In the rural parishes of the arch-  
 deaconry of Coventry there has been no refusal of rate. 1047.  
 In the archdeaconry of Bristol, of 200 parishes, nine re-



fused rates, but in the year after five of them consented to the rate. 1048. In parishes where the rates are paid there are generally most voluntary contributions. 1050, 1051. In one parish where there is opposition to church rates, it is found exceedingly difficult to get voluntary contributions. If the rates were abolished, the sustentation of the fabric would devolve upon the clergy. 1050. The farmer does not like putting his hand into his pocket, but he pays the rate because it is the law. 1053. At St. Thomas, Birmingham, the voluntary contributions which used to maintain the fabric are in a great measure suspended; the wealthier seat-holders are moving away, and the putting a pew rent on the seats would drive the people away. 1059. The rate might possibly be limited to the fabric in the case of towns where no rate has been levied for seven years. This might meet the impossibility of levying a compulsory rate in such a place as Birmingham. But the Nonconformists should not as a body be exonerated from rates. It would be a premium to dissent, and many who are now nominally of our communion would cease to be so, having professed nonconformity. 1068. The establishing a voluntary rate, as recommended by Mr. Estcourt, would be preferable to ticketing Dissenters. 1077. It would for a time succeed, and might possibly provide a sufficient amount in the event of church rates being abolished throughout the country. 1070. It would be preferable to exonerate recalcitrating parishes, such as Birmingham, but to retain the rate in those parishes which have had a disposition to retain it. 1071. It would be an improvement in the law to levy the rate on the owner, and not upon the occupier. 1094. The parochial strife would cease. There is such an overwhelming preponderance of Church owners in the archdeaconry of Coventry that the few Dissenters who, as owners, would be liable, would be an uninfluential minority. I believe that if the occupier were allowed to deduct his church rate, the opposition would subside in time. A great many persons are turning to a better mind in respect of church rates. 1075. The failure of the meeting at Birmingham to protest against the memorial to Lord Derby shows that there is much less feeling against the rate on the part of the community. It

Archdeacon  
Sandford.



Archdeacon Sandford. was an uninfluential meeting. Religious-minded Dissenters do not so much object to the rate (1089), but the objection has been got up as a political cry, and it acts upon the representation of cities and towns. 1088. As to the unwillingness of Churchmen to pay church rates, the case is this, that many are influenced by the vicinity of Dissenters; they do not like to live at variance with their neighbours, and they swell the majority, because they do not like to offend their dissenting brother. 1090. Some have a liberal feeling, some are actuated by political motives, and by a wish to curry favour with their constituents. 1092. Dissenters object because they wish to pull down the Established Church, and to reduce it to the level of the sects. 1091.

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FRIDAY, JULY 22, 1859.

The Reverend JOSHUA WILLIAM BROOKS, Vicar of Nottingham, is called in, and examined.

Rev. Joshua  
William  
Brooks.

VICAR of St. Mary's, Nottingham, for fifteen years. There has been no church rate since 1833. The church was shut up when Mr. Brooks became incumbent; it was in a dilapidated state, and people were afraid to go to church. In 1843 an attempt was made to obtain an eighteen-penny rate; there was a majority of 784 against it: but a six-penny rate might probably have been carried. 1100. Since then 9300*l.* has been raised by voluntary contribution for the repair of the church. 1106. Of late years the Church has made a considerable advance—several Dissenters have joined the Church. 1112. There is a growing opinion in favour of keeping up the churches by rates. 1118. The extreme party among the Dissenters in Nottingham are a small section, but they make the most noise. 1120. They are chiefly Baptist Dissenters. 1124. It would be difficult now to get 1500*l.* for the repair of the north transept. The church is a mother church in the part of the town which is abandoned by residents, and is like the city of London; the gentlemen have

their own churches where they reside, and do not feel interested in the support of the mother church. 1139. The congregation is principally poor. 1128. The great mass of Dissenters would be satisfied with exemption from church rates, 1183; but a certain small section which is opposed to the Establishment would not. 1153. They look upon the abolition of church rates as a step towards the destruction of the Establishment, 1154; though they do not seek the overthrow of the Church as a religious community. 1155. They are jealous of the predominance of the Church, and do not like one section of the Church to be in a prominent position, and to be supported by the State. 1155. A very large class of Dissenters would be content with exemption from church rates, and would not object to be designated as Dissenters. They are not ashamed of the term. 1159. Very few have a conscientious objection; the majority of Dissenters are not against church rates. 1161. They are generally disposed to support the Church, and feel the necessity of some Establishment in the country for the maintenance of religion, 1162; but though a large proportion of Dissenters in Nottingham are willing to support church rates, to make a rate would be impossible. There are 7000 houses rated at 6*l.* a year. They were all excused church rate in former times, but nevertheless they would vote against it. 1172. A rate might be made, but it would lead to exasperation. At present the Church is becoming popular among the working classes. 1173. In 1843, Churchmen did not vote against the rate, but they did not come up to support it. It would be an improvement in the law, if the occupier could recover the rate from the owner, and remove a great deal of opposition and ill-feeling. 1178. Each district should support its own church, and not be called upon for the mother church. 1180. This would relieve the difficulty. 1187. The chief proprietors of lands in Nottingham are the corporation, in which dissent predominates, so that it would be distasteful to them, if the church rate was thrown upon them. 1202. But the rate being thrown upon the owner, he would charge it upon the occupier, who would lose sight of it in the general rate, and not object to pay it.

Rev. Joshua  
William  
Brooks.

The Reverend ABRAHAM HUME, LL.D., an Incumbent in Liverpool, called in, and examined.

Rev. Dr. Hume. INCUMBENT of Vauxhall, Liverpool. A voluntary rate is made for the two parish churches of Liverpool of one penny in the pound, which but for refusals would be a halfpenny. A large number of Dissenters concur in this voluntary rate. 1224. Dissenters would not oppose church rate from which Dissenters are exempted. 1225. It would be very strange that they should object to Churchmen paying rates if they think it proper. 1233. There are some Dissenters who desire the abolition of the union between the Church and the State. 1236. The ostensible objects of Dissenters are different from the understood objects; eventually the separation of the Church and State is aimed at; but in open conversation it is not found, that Dissenters object explicitly to Churchmen paying rates if they think proper. 1236. As to the progress of opinion and feeling upon the subject of church rates, it appears that the attention of the public has been more drawn to it; and thinking Churchmen and thinking Dissenters coincide upon the subject as a principle; but hundreds, perhaps thousands, who approve of church rates as a principle, say that the clamour on the subject is so great, it is hardly worth while to keep up the contention about them. 1239. The litigation of the Braintree case, the frequent allusions to the subject in Parliament, and in the newspapers, have drawn attention to it. 1242. In certain parts of the country, Wales, Monmouth, and Cornwall, church rates have been a prominent article of faith in the politics of the day; but in the Church counties of England, and in Liverpool, the subject of church rates, as a political movement, has not been much attended to. 1243. In Liverpool, if the Churchmen had seen any great advantage in having church rates, they could with a very trifling effort have saved them; but many of the district churches not partaking in the church rate, they declined to vote. 1254. The district churches would have had no benefit from the rate. 1265. In Liverpool there is a very marked division between the rich and poor. Dr. Hume's

parish is exclusively poor. 1270. The maintenance of church rates is important, especially to the action of the Church in poorer localities. 1272. When first he came to his district, of 8500, half of whom were Protestants, only thirty-two families came to church ; at present there are 418 families from the same persons and area. 1273. In all the poorer districts the operations of the Church are, to a great degree, Missionary ; in the richer districts they are Ministerial. 1274. In the poorer localities, unless there is some power of levying a fund for the support of the churches, some of them must in the course of a few years be closed. 1276. In these localities you cannot depend upon voluntary contributions for the maintenance of the church, 1279 ; in three years and a half Dr. H. received only 18*l.* from collections, and 8*l.* 8*s.* from private subscriptions ; the rest of the expense falls on the incumbent, who has paid, in various ways, 25*l.* per year. 1277. No other district in Liverpool is so unfortunately circumstanced ; none is so completely a missionary station. 1278. In some of the very poorest places there are no dissenting meetings. 1280. In Liverpool several have been closed for want of support, or sold or abandoned when their resources diminished. 1281. When a district becomes poor, the dissenting congregation generally migrates ; the chapel is given up, and replaced in a better district of the town. Nine dissenting chapels have occupied twenty-six different sites ; there have been seventeen migrations ; whereas a church is a permanent building for various grades of the population, and when all the richer part of the population leave the neighbourhood, it is left finally surrounded by paupers, for whom it should still make provision. 1282. Dissent, as a system, does not supply the poorer classes ; it supplies the better portion of the middle, but more usually the lower section of the middle classes. In all our large hives of industry in England, the action of Dissent, jointly with that of the Church, has utterly failed to evangelize the people, and, in several instances, the non-worshipping community quite outnumber the worshipping community of all kinds, 1283 ; so that one of the chief reasons for the maintenance of church rates, is to enable the Church of England to

Rev. Dr.  
Hume.



Rev. Dr.  
Hume.

meet the wants of the poorer part of the population ; the necessity exists on missionary grounds. The abandonment of the church rates is the abandonment of the poor. 1284. In the poor districts in large towns, there is often a considerable amount of property which ought to be liable to church rate, in Dr. Hume's district there are large factories, offices, and public companies. If there were a law for church rates, he does not think they would object for one moment to pay them. 1225. At present it is not permitted to levy rates in Dr. Hume's district parish, but were there authority to do so, he does not think there would be any difficulty whatever. 1286. Gentlemen subscribe to churches where they reside, and not where the people are employed, or where their fortunes are created. 1287. As to abolishing church rates in towns, and continuing them in the country, there are reasons of a hundredfold force, why they should be continued in the large towns. The population of England is rapidly becoming a town population. In 1851 there were nine millions in towns of ten thousand and upwards, and only eight millions in smaller towns and country ; it is probable that at the close of this century, 70 per cent. of the population will be in large towns ; therefore if our large towns are left to themselves, practical heathenism must inevitably soon outgrow Christianity. 1288. There is a large percentage of irreligious people, who, in the seventy-three large boroughs and towns of England, are nominally of the Church of England, but practically of no Church ; and it is to that class that the action of the Church should be directed, to those whom we are about to lose or have lost altogether. 1293. Unless some provision is made by law for the maintenance of the churches, the parochial action will be in time neutralized, and is so in certain places at this moment. 1294. This class of the population is in danger of being lost, not only to the Church, but to religion altogether. Apart from public worship in churches and chapels, there are religious influences which permeate the lower strata of society, scripture readers, schools, bibles, and tracts ; but it is to be feared that in another generation, the masses will become more and more irreligious, and that from being passive in irreligion, they will become active secularists



Rev. Dr.  
Hume.

or active opposers to religion. 1295. The active progress of irreligion is one of the phenomena that now surround us. In thirty-four of the great towns of England, with a population of nearly four millions of people, more than half ( $52\frac{1}{2}$  per cent.) attend no place of worship whatever. 1296. If there has been a growth of religious feeling in the country, it is probably not in proportion to the growth of population. The population is growing rapidly in our large towns, and religion ought to grow with at least equal rapidity; but it is not so doing. It is not in Liverpool, yet Liverpool is not the worst place in the kingdom. 1300. The number of churches and ministers has increased in Liverpool. There has been more efforts and more money given, but owing to the separation between rich and poor, it is often ill distributed, and does not yield an adequate return. 1306. And so also as to schools, and there are difficulties not sufficiently taken into account in the operation of the Privy Council regulations. The richer districts are more than abundantly supplied, whilst from the poorer districts grants are withheld which they absolutely need. And as to churches, where help is most required, there is least present, and large masses of poor are left unprovided; as one part of a town becomes a St. Giles, another becomes a St. James, and there is a large neglected community, of which the rich know nothing. 1307. An analysis of the population of Liverpool and the church accommodation at various times, shows that sometimes we have gone backward in church accommodation, when we thought we were going forward; as a boat borne back by the tide more than its oars make way, is really losing ground. 1308. The practical inconveniences arising from the absence of means of supporting the churches which have been built, are going on every year, and are exhibiting themselves more unmistakeably, especially in the poorer and most popular districts where new churches have been erected. 1312. Dr. Hume's church was built with the understanding that some portion of the pews might be let; that is found morally impossible. There is no fund for insuring the church, and Dr. H. insures it. There is no repair fund; so that there is a public institution existing for the benefit of the public not insured from fire or kept in repair except at

Rev. Dr. Hume. the expense of the incumbent. 1313. The population of Liverpool is 450,000, and two-thirds of it, 300,000, are persons who ought to have free churches to go to. They are labourers unable to contribute to the church; and the class immediately above them, who are more unwilling to contribute, and who should be encouraged to the performance of duty. 1321. An analysis of the population of England and Wales, calculated upon Mr. Mann's *formulæ*, founded upon "the Census of religious worship," shows the proportion which the leading sects bear to the whole population:—

1333. There are in England and Wales:—

Chapel-going Roman Catholics	610,786	or	$3\frac{1}{2}$	per cent.
Chapel-going Baptists . . .	457,181	„	$2\frac{1}{2}$	„
Chapel-going Independents. .	1,297,861	„	$7\frac{1}{4}$	„
Chapel-going Wesleyans . .	2,264,321	„	13	„
All other Dissenters, Jews, &c.	1,286,246	„	$6\frac{3}{4}$	„

The total number of worshipping  
*bonâ fide* Protestant Dissenters . 5,305,609 „  $29\frac{1}{2}$  „

1336. The Church of England members divided into Church-going or nominal Churchmen are:—

Actual Church-going men . .	7,546,948	or	42	per cent.
Irreligious or nominal . . .	4,466,266	„	25	„
	12,013,214	„	67	„

The field of operation of the clergy is therefore 67 per cent. of the whole population. Not only the Protestant Dissenters in Liverpool are not aware, but very few even of Churchmen are aware, that with reference to missionary duty our Church stands alone. 1341. The Established Church has especially the cure of souls. Roman Catholics attend to their own members, and Protestant Dissenters attend to their own members who attend their respective chapels, but not to the mass of the poor outside. 1342. But the clergy of the Established Church are bound to attend to all who will receive their services within their parochial limits. 1343.

If the church rate were applicable to the repair of all the different churches in Liverpool, there would be no difficulty in getting a church rate; but the rate being applicable only to the two parish churches, and not to the district churches, nine-tenths of the Church people fancy that they have no great interest in the matter at present. 1351.

Rev. Dr.  
Hume.

*[Dr. Hume exhibited to the Committee a Map of England and Wales, divided into dioceses, containing diagrams, showing the relative numbers of Churchmen and Dissenters in the whole country, and in seventy-three of the great towns. The Map is inserted at page 135 of the Report.]*

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The Reverend ROBERT CHAPMAN SAVAGE, Vicar of Nuneaton, called in, and examined.

VICAR of Nuneaton. In Nuneaton there was some opposition to church rates: in 1856, 281 were in favour of the rate, 18 against it; in 1857, 191 for it, 13 against it; in 1858, 207 for it, against it, 2. 1355. The Act for the division of parishes has very materially diminished the opposition. The vestries formerly were noisy; people came from the hamlets three or four miles. Subsequently to the Act the annoyance has ceased. One rate maintained the three churches, but the inhabitants of the hamlets did not think that they got their full proportion. 1359. Acting under the advice of counsel, each district now levies its own rates without any opposition. The Dissenters in Nuneaton attend church occasionally, and use the church for baptisms, marriages, and burials; the clergy visit them in their sickness and contribute to their necessities. 1367. If church rates were abolished, great difficulties would be thrown upon the parishes. It is not simply the abolition of a tax, but the breaking up a system and disturbing a great principle. The Church and State is so united by legislation, that the Church has been a very great machine for the moral and religious advancement of the people. If the

Rev. Robert  
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church rate be abolished, the position of the churchwarden is altered; the churchwarden and the minister are a corporation for many purposes. The churchwarden has many civil rights—is an officer, an overseer. The abolition of the church rate would cause a great dislocation in our whole parochial system, which has been working admirably, and will work better as the results of improved legislation are made to bear upon it. The dangers are hardly to be overrated. 1370. How will a churchwarden be got to act if he is to be responsible, and yet have no church rate? He may be cited into the Ecclesiastical Court in the discharge of his office. 1371. A churchwarden without a church rate would resemble a Chancellor of the Exchequer without a revenue. 1373. If church rates were abolished, the churchwarden would still have the duty of arranging sittings and pews. 1375. The church utensils and property of the church would be still vested in him; the liabilities of the office are such that a man would with difficulty undertake it, not having means to meet them. 1376. The preservation of the rate, though of the smallest possible fraction, is very important for maintaining the integrity of a system which is most valuable to the country. 1377. The abolition of the church rate involves the separation of Church and State, and is therefore advocated by those who desire that separation. 1378, 1379. It is not the Dissenters who have a strong conscientious objection to church rate, so much as persons who have no religion, who do not go to any place of worship, and who object to any rate or tax. Other rates are made by law without their consent; the church rate is the only one in which they have opportunity to exhibit their opposition or their bad feeling. 1381. Instances might be given to prove that Dissenters have not a very strong conscientious objection to the Church. 1383. The difficulty of the case would be obviated by allowing Dissenters to claim exemption from church rates; they think it wrong to be made to pay to services in which they do not participate; to support our churches as well as their own chapels. 1384. In agricultural parishes the abolition of church rates would be ruinous unless some large landed proprietor took upon himself the support of the services and



the fabric. 1388. The farmers would not do it; it would fall upon the clergyman. 1390. They do not support the national schools, though they derive benefit from them; they pay for the education of their children, but nothing more. 1391. Dissenters and Roman Catholics maintain their own chapels, because he who dissents from the Church does so under the influence of some feeling or opinion, for the support of which he is willing to pay; men do not seek religion for themselves; but the Church of England raises her standard, and is the home for all classes of people. She has maintained the truth in the midst of all the variations which have passed over dissenting bodies. In Nuneaton one dissenting meeting is shut up, and another was turned into a dwelling-house, though now opened again by the mortgagee to get his interest paid; but the church always remains open. 1394. The right which every parishioner has to a seat in the church is an inducement to him to attend the church; no one can reprove him, as might be done in a dissenting chapel, or say to him, that because he does not contribute, he has no business there. 1404. It would be a great good to the labouring population if this right could be universally extended. The population has grown beyond the provision made for them in the churches of Parishes and Districts. 1405. The abolition of church rates involves an immense amount of social evil. 1406. Were rates abolished the clergy must lose their pew rents, and with them their incomes, which are even at present distressingly inadequate, especially in the poorest and most populous districts. 1407, 1408. And if the churches fall out of repair their work would be impeded to a great extent. 1410. Were new parishes to be allowed to collect their own rates for their own churches, they would have a local interest and be able to collect them. In a circle of twenty miles round Nuneaton, in only three or four places has church rate been refused, and, with the exception of Birmingham, in only three places in the whole county of Warwick. 1413. The population of those places is 13,000; of the remaining parishes 150,000. In Nuneaton the population of the parish and its hamlets is 8000. There are no large landed pro-

Rev. Robert  
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prietors to influence the people living amongst them; the landlords live in Cheshire; there are no large manufacturers of overpowering influence (they are for the most part riband weavers, 1385); there is no serious difficulty in collecting the rate. 1420. In the vestries of the hamlets there has been no ill feeling in making the rate. 1422. One of the refusals to make church rate within twenty miles of Nuneaton, arose from a new incumbent succeeding one who paid every thing himself, and did not take his full tithes. The parishioners were angry at the new incumbent taking his right, and refused a church rate. 1422. A great part of the evil of church rate has arisen from its not being defined what is chargeable to the rate. Items have been put in improperly; to prevent agitation the object of the rate should be defined and confined to things necessary for divine worship and the maintenance of the fabric. 1426. If the owner were rated instead of the occupier, the owner would charge it in his rent, so that it would practically fall on the occupier. It is the occupier, not the owner, who has a right to a pew. Gibson says, Rate for the fabric is real, charging the land, and not the person; rate for ornaments and service is personal upon the goods, not on the land; but such a separation does not seem desirable now. 1430. Possibly Dissenters, who object to a rate for the service, might not object to a rate for the fabric. 1432. Dissenters have still rights in the Church, and services due to them from its ministers, which they may at any time demand; so that they have considerable advantage for what they pay to the Church. 1434. Dissenters are not unwilling to receive the ministrations of the clergy. Several make common use of the church and chapel. 1435.

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TUESDAY, JULY 26, 1859.

The Right Honourable STEPHEN LUSHINGTON, D.C.L.,  
Judge of the Admiralty Court, examined.

THE state of the Law since the decision on the Braintree case is this. No court will enforce a church rate made by church-

wardens alone, which had been negatived by a majority. 1438. When it is said, that the majority who refuse to make a rate are still in law censurable and liable to a penalty, it is certainly true that the parishioners are bound to repair their church, and to provide what is necessary for the performance of divine service, and, of course, if they refuse to do so, they are guilty of a breach of duty; but there is no penalty which could attach to them—for this reason, the fear of an interdict would have been quite sufficient to have enforced a church rate, but that was in Catholic times, this remedy has ceased. Church rate is of extreme antiquity, begun beyond all doubt in Saxon times. It was a rate upon the person with respect to his ability whether it was in land or personal property; but in those days there being very little personal property, if any, capable of being taxed, it was a tax upon land in the possession of the occupier. About fifty years ago the present spirit of opposition began to rise. 1448. As our population has increased the whole thing has assumed a different appearance: as large towns have increased, and as Dissent has increased, it has become a matter of religious feeling, and hence this dissension. 1449. The decision of the House of Lords has left it optional to the rate-payers to make the rate or not. 1450. If persons who did not belong to the Church were exempted, all reasonable ground of objection would be removed. 1451. To abolish church rate *quasi* Churchmen would be matter of regret, unless you were sure that good men would uphold the Church: it would be a positive iniquity, if there were not church room found for the poor of this country. 1453. Disputes about church rates have been fewer during the last seven years, but cases have arisen from a state of things which form a separate head of consideration, viz., the difficulty of making a rate, independently of the disposition to do it. 1453. Where there is a great variety of property, it is no easy matter to make a just and equal assessment. If the poor law assessment be just and right, there could be no objection to a church rate made accordingly, but the poor law assessment itself may not be made according to law; and then a question arising as to the church rate, any one who opposed the rate may discover the

Right Hon.  
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Right Hon. Stephen Lushington. smallest hole to creep out, and this being brought before the judge he has no alternative but to pronounce against the rate. 1454. This difficulty can hardly be got over, because stringent as the law is with regard to poor rate, it is constantly evaded. 1455. The rules laid down by the Act are just, but we know that the rates made are not strictly just or equitable. 1455. There should be a more simple and ready means of enforcing the collection of rates once made. The Ecclesiastical Court is not the fit and proper jurisdiction. 1460. The remedy for collecting it should be the same as is given to the poor law guardians. 1461. If Dissenters were exempted, there would be no injustice in enforcing the rate in a summary manner upon Churchmen. 1462. It is impossible that the feelings of the Dissenters, who oppose church rates, can alter. Few Churchmen really oppose them. The feeling of the Dissenters is founded on religious objection. 1467. When it is asked whether it would be inconsistent with the law, or any gross violation of the law of England to grant by statute an exemption to Dissenters, it is very difficult to give a positive answer, the question being so mixed up with other questions as to the maintenance of the Established Church. It is of great importance that Dissenters have a strong objection; but if it could be left to Churchmen alone, the burden is, generally speaking, so slight that it might be cheerfully borne. 1469. The Dissenters' objection to maintaining a Church to which they do not belong is a good objection, but they are not justified in using it, if it goes to an alteration of the constitution in Church and State. 1470. Great obloquy was thrown formerly upon church rates from the abuse of the system, but if confined to their proper use, the maintenance of the fabrics and the decent performance of divine service, there could be no objection to them. In the matter of church rates there are three distinct articles which come into controversy:—first, the maintenance of the Church and the proper performance of divine service; secondly, articles which the vestry can sanction and which can be properly paid out of the church rate; thirdly, expenses which cannot be paid by any consent whatever. 1472. It would be desirable to assimilate the church rate to the poor rate, and give the

same remedies. 1473. And entirely to divest the Ecclesiastical Court of all authority. 1474. Persons who state that they have conscientious objections should be exempted from the rate, and have no right to a voice in the vestry. 1476. Every district should maintain its own church: it is a hardship to pay pew rents and to be rated to the mother church. 1477-79. If those who dissent from the Church were removed from the sphere of dissension, and church rates were put on an express footing, things would go on much more quietly. 1484. If it be said that those persons who were exempted would get a benefit to which they are not entitled, it must be replied that the rate is not a charge upon land, but a personal charge with respect to property; it never was a charge upon land. One hundred and fifty years ago, when a chancel was out of repair, and the Ecclesiastical Court endeavoured to attach the property, the court interfered by prohibition and said, You may proceed against the individual, but not touch the property. 1484. A person to be rated must be in the actual occupation of the property. 1487. It is preferable to leave the church rate as a charge *in personam*, rather than to make it a settled charge upon the land; the more the rate is assimilated to the poor rate the better. It would be well to have one rate, and that the expense should be paid out of the poor rate. 1488. The present difficulties exist as to the mode in which the rate is made, it is so very difficult to make a perfect and just rate. 1491. Objections of this sort are much more common than before. 1492. But it is the same leading motive which occasions this more narrow investigation and inquiry. 1493. Most of the persons who dispute the church rate on these grounds are Dissenters. 1494. If you were to relieve Dissenters from making a church rate, and at the same time destroyed their title to a seat in the church, it would have a very mischievous effect. The church doors should still be open to them. It is very well to say, If you take the benefit you ought to participate in the burden, but it would be great imprudence to shut the doors against them. 1501.

Right Hon.  
Stephen  
Lushington.



CHARLES JAMES FOSTER, Esquire, LL.D., called in,  
and examined.

Charles  
James Fos-  
ter, Esq.

CHAIRMAN of the Parliamentary Committee of the Society for the Liberation of Religion from State patronage and controul. The Society wishes to separate the Church from the State, to take away all funds and property with which the State has endowed any religious denomination whatever, and to free all denominations of persons who may happen to be under special legislation on religious grounds from such special legislation. It does not wish to take away grants which have proceeded from individuals, but any thing received by Act of Parliament, tithes included. 1511. It looks to the secularization of all property given by the State for religious purposes, and the abolition of State controul over religious bodies. 1535. The objects of the Society are the application to secular uses of all national property now held upon trust by the Church of England and Ireland, and the Presbyterian Church of Scotland. 1583. It is not too strong an expression, to call the obligation of a Baptist or Independent to contribute to the support of the Church to which he does not belong, an immoral obligation. 1535. As to the question whether the voluntary principle would provide accommodation for the poor, it is answered that it has already done so, as is proved by this argument. In 1801, the Church provided 82 per cent. of the accommodation, the Dissenters 18 per cent. *Now* the Church provides 52 per cent., and Dissent 48 per cent. The Church has thus gone down, and Dissent gone up, and our view is, that the Church has suffered by its connexion with the State, and that Dissent has done well, because it has been freed from that hampering tie. 1570. Dissent has outstripped the population, and the Church fallen behind it. 1572. It would be to the interest of the Church of England not to occupy that position of superiority in the country, which the law now gives her. 1581. The Society has promoted a Bill for the general abolition of church rates, 1591, in order to the promotion and spread of religion. 1603. It has issued publications instructing parishes how to proceed to



refuse a rate, 1620; and to show that it is nearly impossible to levy a rate in a parish, if proper steps be taken to refuse it. 1621. . Except here and there, the chief supporters of the Society are not persons, who notoriously have no regard for religion of any kind. 1649. The general feeling of those, who are most anxious for the abolition of church rates, is one of strong sympathy with the Episcopalian body. 1650. The Society is not prepared with any Bill proposing the secular objects to which ecclesiastical property may be appropriated. 1667. The Episcopalians are tenants of ecclesiastical edifices which are national property. 1678. It is a short-sighted view of the question at issue to think, that collision would subside, if the church rate question were settled; as long as the Established Church exists, there will be the same point of difference. 1697. Were there no Established Church, many would become Episcopalians. 1698. If the church rate question were settled to-morrow, the Society would have ulterior objects. 1679. The conviction among English Dissenters of the necessity for a separation of the Church from the State for the good of religion is of comparatively modern origin. 1683. The old men among the Dissenters remain pretty much where they were left; they have hardly gone along with the advancing tide. 1690. The exemption of Dissenters from church rates would not satisfy the body; church rates must be altogether abolished. On the part of those who have promoted the Bill, there has been no talk of the exemption of Dissenters. 1519. The Society has not particularly encouraged any movement against church rates, except by assisting those who have come for advice with the advice wanted, and also by undertaking the conduct of the Parliamentary movement, the objections of the Society being derived solely from church rates being one means of connexion between Church and State. 1514. In the election of members of Parliament there was undoubtedly activity in the Parliamentary Committee of the Society, 1613; and all legitimate and constitutional means would be used by the Committee to return members who are pledged against church rates, though it is hardly necessary to act thus, the feeling being so strong in the country. 1614, 1615.

Charles  
James Foster, Esq.

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One would not like to say, that what has been done in Parliament is, as some have said, the doing of the Liberation Society, though it has done its best to support it. 1629. As far as outside action goes, it would be a fair representation of the case to say, that the Bill is their own Bill, and been fathered and promoted by the Society. 1631. As Chairman of the Parliamentary Committee it was the Chairman's duty to give advice to persons anxious to dispute church rates. 1610. During the last two or three years, there have been four, five, six, or even ten cases in a day (not indeed throughout the whole year, 1611), and hardly once in a month does one meet with the case of a perfectly legal church rate, and which an honest man might not conscientiously refuse to pay, as tainted with illegality. 1514. That the rates are levied in 8000 parishes, and refused in only 500, is hardly a correct statement of the case. A rate may be nominally made, and properly entered in the return, but as a general rule rates so made are not in point of fact collected, and any person who chooses to refuse, does so with impunity. 1619. 1634. The tactics of the Society consists in lowering the amount of church rate as much as in opposing it. The actual decline in the last five years has been 5000%. at least. The success of opposition shows itself as much by reduction as otherwise. 1617. The majority of communications to the Society now come from rural districts, no doubt from Dissenters. 1639. 1642.

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Mr. WALPOLE E. GREENWELL, Vestry Clerk of St. Marylebone, examined.

Mr. Wal-  
pole E.  
Greenwell.

THE parish of Marylebone, with reference to Church matters, is under several local Acts. 170,000%. was borrowed on the security of the church rate, a portion of which, 29,400%, is still owing. The vestry have built five churches and a burial-ground. 1706. The rate is made by the vestry; they have power to levy not exceeding 6%. in the pound upon the amount of the poor rate assessment. 1713.

1*d.* in the pound is raised, and produces 3700*l.* The vestry receive the pew rents, burial fees, and rate, and out of the whole pays the stipends to the minister of each church, the repairs, the clerk, the organist (but upon one church there is a deficiency annually of 500*l.*), and the salaries of the different officers of the church. There is one mother church, four district churches, two chapels of ease, one burial-ground, and two houses on the ground thus maintained. The debt and the interest come to a halfpenny rate; the other halfpenny is sufficient for the other purposes. 1721. There are no disputes about the rate. The Act obliges the rate to be levied. There is no difficulty in collecting it. It is collected with the other rates at one time, and one receipt given. The collection of the rate produces no ill feeling. Two Friends have always required an amicable distress. There are Dissenters in the vestry. Generally speaking the district churches pay their expenses out of their own funds; but one of the churches does not do so, and it creates dissatisfaction that that church should not be in the same position as the others.

Mr. Wal-  
pole E.  
Greenwell.

FRIDAY, JULY 29, 1859.

The Reverend GEORGE OSBORN, a Minister of the Methodist Connexion, examined.

A MINISTER of the Wesleyan Methodists for thirty years. Twenty-five years ago a society was organized to promote the separation of Church and State, and a Wesleyan minister became secretary to it. He was required by the Conference to resign that office, and declining so to do was separated from the body. No attacks upon the Church have been countenanced by the Wesleyan body. The principles of strict dissent have never been either professed or assumed; attendance upon the religious services of the Established Church is not discouraged. In the year 1834 the Conference requested the publication of a speech which contained the following senti-

Rev. George  
Osborn.

Rev. George Osborn. ment: "Let the voluntary principle be carried as far as it possibly can in the advancement of Christian instruction, yet, after all, the country cannot do without the establishment either in resisting Popery, Socinianism, and Infidelity, or in the maintenance of Christian godliness and public virtue." 1753. The feelings of the Wesleyan body are pretty much the same now, but they have been weakened by the rites of burial having been refused to the children of Methodists, in defiance of the law, and often of the recommendation of the diocesan; and irritation has been produced by the attempts to accommodate the structure of the parish church to anti-Protestant doctrines, and to introduce usages in the celebration of worship which the Reformation does not sanction. 1755. The refusal of burial does more to excite irritation than fifty Liberation Society speeches. 1758. No public and collective action against church rates has ever taken place in the Wesleyan body, nor any instance of refusal to pay; hence it may be inferred that there is no wide-spread feeling of opposition to them, but the contrary. 1763. The body does not seek to be absolved from the payment of church rates. 1765. The extinction of the National Church is to be deplored as one of the greatest calamities which could befall our native country. One would wish to see it upheld in its integrity and increased in its usefulness, consistently with entire liberty to Nonconformists. 1766. The Established Church provides a place of public worship accessible to all classes, designed for the benefit of all, and a system of instruction and worship of which all may avail themselves, if they will. The Established Church is the greatest Home Missionary institution of which we have cognizance. 1767. The willingness of Wesleyans to contribute to the support of the Church is not derived from their using the churches, so much as from the immense national benefit which accrues from, and the immense national loss which would be incurred by the overthrow of the Established Church. 1770. The parochial system is the only means of really leavening the country with that knowledge of divine truth which is necessary to its welfare, and which needs to be extended and adapted to the growth of various places; but being so adapted and extended, no apparatus can compare



with it for efficiency. 1771. Were the parochial system broken up, all the voluntary efforts which might be put forward either by separate classes of Nonconformists, or by the joint labours of Churchmen and Nonconformists, would not suffice to compensate for its overthrow, which would be very injurious to religion and to the welfare of the country as dependent upon religion. 1772. The remark that bodies, who are supported by voluntary contributions, must depend a great deal upon persons of property, hardly applies to the Methodist connexion, in which a very considerable revenue is raised by the systematic contributions of the poor. 1773. The tendency of dissent is to deal with the middle classes, and when they forsake a particular neighbourhood the chapel is removed, and were there not some other description of provision made, the neighbourhood would be left without any, 1775; but the poor are fastened to the locality; and this one consideration weighs very much as to the importance of a territorial provision, which shall be independent of the fluctuations of commerce and other causes constantly occurring. 1776. No man seeks the truth of his own accord; and if he is to apprehend the truth, it must be brought to him, and the means of making him acquainted with it must be of an aggressive character; it must seek the person to be taught, the person to be taught will not seek it. 1777. It would be matter of regret if the task of obtaining voluntary subscriptions for the maintenance of the fabric were thrown upon the clergy—it would interfere with their work: and one cannot understand why, if parishes are willing to tax themselves, the legislature should interfere to prevent it. It is an inexplicable violation of the principle of religious liberty, except the object be entirely to overthrow the Established Church. 1795. As to the abolition of church rates being part of a system, which the Liberation Society is endeavouring to bring about for the overthrow of the Established Church, amongst the Dissenters of this country are found those who frequently speak on this subject, and one cannot doubt that their principles necessarily lead to the disendowment of the Established Church, and its separation from the State in that sense. They have said that they would be glad to see that

Rev. George  
Osborn.



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Osborn.

object effected, as they think it would conduce to the welfare of religion on the whole. 1804. But my opinion is quite the reverse. The Established Church being disendowed would lose the immense advantages which she now possesses, 1. for penetrating the whole mass of the population, 2. for cultivating a high theological literature, which is essential to the interests of Christianity in the long run, and, 3. for the hold which it now has upon the upper classes of society, which is as essential to the national welfare, as its hold upon the lower classes. The influence of the Established Church upon the welfare of England is inestimably valuable. Upon the supposition of its being overthrown one cannot see how the national profession of Christianity could be maintained. 1806. The effect of suddenly placing the Established Church upon a voluntary basis, would be to unsettle the whole kingdom, to unsettle men's minds upon every question, to destroy and unsettle the tenure of property to a perilous extent, and as a matter of course to unsettle the religious institutions. 1809. It is better to let the law stand as it is, than to open a door for the introduction of exemption. If exemptions were allowed it is hard to say where they would stop, unless the legislature could see a method, by which the parties might be relieved without invading a principle. 1810.

Mr. JOHN GLADDING, residing at No. 39, City-road,  
London, called in, and examined.

Mr. John  
Gladding.

AN Independent, at one time resident in St. Luke's, Finsbury, in which parish the Dissenters are a majority. The payment of the church expenses is made from the poor rate. There is a local act under which the parish was divided from Cripple-gate, by the presumed authority of which the balance of the churchwardens' account is paid by the guardians of the poor—the churchwardens thus providing for expenses generally provided for in the church rate. 1823. When the new churches in the parish made a claim upon the rate for the defrayment of

their expenses, upon a poll the claim of the new churches was voted against, and part of the claims of the mother church then for the first time. 1827. An act for the abolition of church rates would not annul the powers of the local act, enabling the churchwardens to collect sums for the church expenses with the poor rate. The church expenses amount to 250*l.* per annum. 1829. In the populous parish of West Ham, there are many Dissenters; some years ago a rate was rejected by a large majority—the rate was rejected under a strong feeling of injustice in the parishioners being obliged to pay for the expenses of the church in addition to their own places of worship. 1838. Communications were made to the parish from the Society for the Liberation of Religion, but the opposition to the church rate is not attributable to those communications. Numerous distrains upon the goods of the Friends, Mr. Samuel Gurney, and others, annually made, produced a strong opposition. The rate was 6*d.* in the pound; it was for the ordinary expenses, and not for the reparation of the church. It had been repaired by money borrowed, and a separate rate made for it. 1845. The Dissenters would have objected to pay for the reparation of the church. Many who voted against the rate would have contributed to the incidental expenses if it had been voluntary. Dissenters would be satisfied with exemption from church rates if not put under disability, or having any of their rights as parishioners in other matters curtailed in any way. They would object to any interference with their rights in general matters. 1849. But if a Dissenter claimed the right of burying in the churchyard, and using the church, and the services of the church whenever he wished, it would be fair that such an individual should pay his quota to the rate. 1859. The state of the law is in large towns unsatisfactory, but in rural parishes on the whole satisfactory. 1866. Dissenters would not like to be put into a position to claim exemption from the rate. 1872. They would not like to be put aside, they would rather wait until the majority should declare against the rate than have any of their privileges and rights in vestry taken away. 1877. The Dissenter would object to a commutation of the church rate, such as the commutation of tithes, because it would bind

Mr. John  
Gladding.

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Gladding.

him and his descendants to a payment which he would rather should be left to his voluntary decision. The dissenting body are glad to get rid of church rates only when they are felt to be burdensome, where a majority of Dissenters exist in a particular locality, 1893; a great many Dissenters plead conscientious grounds for objecting to church rates (1894), but the conscientious objection is not so extensive as is generally supposed (1895). It is a first step towards an ulterior end, the total abolition of church rates. The feeling of injustice in having church rates levied upon those who have their own places of worship to support, is a feeling more largely entertained, than the conscientious scruple against paying the church expenses (1898). The objection to the connexion of the Established Religion with the State is not a very strong feeling or very extensively entertained, nor is any definite idea of the extinction of the Establishment entertained by the Dissenters at large. 1900. The present state of the law which leaves it to a majority to decide whether there shall be a rate or not is most satisfactory, and is preferable to any exemption in favour of Dissenters. 1908. The enforcing a rate by the Ecclesiastical Court is most objectionable; it would be better to have an appeal to some civil court. 1911. This evidence as to the opinions of Dissenters is confined to those with whom the witness has associated in different parishes, in West Ham and London, in which the witness had a very large acquaintance. 1921, 22.

The Reverend EDWARD MOORE, Rector of Frittenden,  
called in, and examined.

Rev. Ed-  
ward Moore.

INCUMBENT of Frittenden, population 900, and rather a small parish. Never had any difficulty in raising church rates until this year. The rate was disputed, but carried upon a poll. The opposition was got up by a few persons, but there is reason to think the same thing will not occur again. The rate was thrown out by a show of hands, the opponents having

been collected together unexpectedly. Fifty-five polled for the rate, forty-eight against it. The rate will not be collected till the autumn, but no difficulty is anticipated. Nearly one-third of the grown persons in the parish are Dissenters. The opposition was not produced by any agency from London. On one previous occasion, when five persons were present, three voted for it, two against it. The rate will produce above 30*l.*, and will be applied to the necessities of divine service, new bell ropes, and the payment of a sort of sexton. The church has recently been put into repair at a large outlay, wholly at the expense of Mr. Moore. The Dissenters are buried in the churchyard almost always, and nearly all are married there; some of them occasionally attend the church. A great many are not decided Dissenters, they sometimes go to church and sometimes to chapel. The churches in the rural deanery are much improved of late years. In three, out of fourteen, rates are not levied. In them the services are carried on with much difficulty, the private persons who have hitherto furnished the requisites for divine service, objecting to provide them any longer. They do not like to contribute out of their own funds that, which the whole number should share. The three parishes are Headcorn, Holden, and Sandhurst. They have been for some time in that state, one nearly twenty years. Headcorn has been repaired by a public subscription. In those parishes Dissenters are so decided a majority, that if they had a power to exempt themselves by declaring their conscientious objections, there would still remain a difficulty in collecting enough to keep the churches in repair. In Holden and Sandhurst rates were collected within a very few years. The opposition is quite recent. In Headcorn a rate has been attempted only twice in the last twelve years. Up to the present time the opposition to church rates has been increasing, but the feeling is rather going the other way; the principal cause being the demanding rates for more moderate objects. Were the object for which rates are made, limited by law to things absolutely necessary, and of moderate amount, difficulties in making rates would be to a great extent done away. To exempt Dissenters would be unjust in practice, not because it ex-

Rev. Edward Moore.



Rev. Ed-  
ward Moore.

empted individuals, but because it would exempt a certain amount of property. Were church rates abolished it would be impossible to support the fabrics by voluntary contributions in country parishes. In nearly all the rural parishes, without rates the churches would be out of repair, the persons attending church would not subscribe enough, the necessary repairs would be apt to fall upon the shoulders of the clergyman, and he would be very heavily taxed. The country clergy could not bear such additional expense, bearing as they do a very large proportion of the expenses of maintaining the schools. The power to vote to levy a church rate does not tend to keep alive a feeling of parochial action, or to create an interest in church matters, nor does the payment of a rate remind the payer of his obligation towards the Church. Very few persons attend the vestry meetings, where the rate is voted. Unless the landlords take up the question, the churches of the parishes in the rural deanery which have refused the rate will certainly fall into decay. Two of them are large churches. In the Weald of Kent, there are a large number of Dissenters and meeting-houses in almost every parish. The chapel in Frittenden is very rarely used, nor has ever been regularly, it is private property, was substantially built, is rarely used, and requires very little expenditure. In one parish, Cranbrook, there is a district church. Rates are levied in the parish: the district church is well supported by certain families of wealth. Rates levied in a district should be applied to the church of the district. If the owners of property rated at 10*l.* were rated instead of the occupiers, it would put an end to a great deal of ill feeling about church rates. The contest in Frittenden for a time excited ill feeling, but it is now nearly at an end; it occurred three months ago. Some of those who voted against the rate have since expressed their regret: it was quite a local affair and arose from some little personal feeling. If the excitement were at an end, a large majority of the clergy think that there would be no difficulty in collecting the rate: very few have any difficulty now. Very few of the Dissenters of Frittenden object to a moderate rate. In the opposition to the rate several Dissenters voted in favour of it. So long as the rate is required by law, the Dissenters



are willing to pay, but they would not contribute to a voluntary fund. The opposition to legal rate is no evidence of readiness to contribute to a voluntary fund. Non-opposition arises from respect for the law. There is a difficulty in persuading people to contribute to a voluntary rate according to their means. Many refuse, and others feel the injustice of that refusal. They say, I will do my part if others will do theirs, but those who are disposed to pay become indisposed if others refuse. 1923—2025. Rev. Edward Moore.

THE END.















